

§ 165.33

injury from sabotage or other subversive acts, accidents, or other causes of a similar nature:

- (1) Vessels,
- (2) Harbors,
- (3) Ports, and
- (4) Waterfront facilities:

in the United States and all territory and water, continental or insular, that is subject to the jurisdiction of the United States.

§ 165.33 General regulations.

Unless otherwise provided in the special regulations in Subpart F of this part:

- (a) No person or vessel may enter or remain in a security zone without the permission of the Captain of the Port;
- (b) Each person and vessel in a security zone shall obey any direction or order of the Captain of the Port;
- (c) The Captain of the Port may take possession and control of any vessel in the security zone;
- (d) The Captain of the Port may remove any person, vessel, article, or thing from a security zone;
- (e) No person may board, or take or place any article or thing on board, any vessel in a security zone without the permission of the Captain of the Port; and
- (f) No person may take or place any article or thing upon any waterfront facility in a security zone without the permission of the Captain of the Port.

Subpart E—Restricted Waterfront Areas

§ 165.40 Restricted waterfront areas.

The Commandant, may direct the COTP to prevent access to waterfront facilities, and port and harbor areas, including vessels and harbor craft therein. This section may apply to persons who do not possess the credentials outlined in §125.09 of this chapter when certain shipping activities are conducted that are outlined in §125.15 of this chapter.

33 CFR Ch. I (7–1–13 Edition)

Subpart F—Specific Regulated Navigation Areas and Limited Access Areas

FIRST COAST GUARD DISTRICT

§ 165.T01-0084 Regulated Navigation Area; Little Bay Bridge Construction, Little Bay, Portsmouth, NH.

(a) *Location.* The following area is a Regulated Navigation Area (RNA): all navigable waters of Little Bay between Newington, NH and Dover, NH, from surface to bottom, within a 300 yard radius of position 43°07'05" N, 070°49'33" W.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.10, 165.11, and 165.13 apply within the RNA. In addition, the following regulations apply:

(2) In accordance with the general regulations, entry into or movement within this zone, during periods of enforcement, is prohibited unless authorized by Captain of the Port Sector Northern New England (COTP).

(3) A speed limit of five (5) knots will be in effect within the regulated area. All vessels must proceed through the area with caution and operate in such a manner as to produce no wake.

(4) All persons and vessels must comply with all directions given to them by the COTP or his on-scene representative. The "on-scene representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel, New Hampshire State Police vessel, New Hampshire Marine Patrol vessel or other designated craft, or may be on shore, and will communicate with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(5) Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(6) All other relevant regulations, including but not limited to the Rules of the Road (33 CFR part 84—Subchapter E, Inland Navigational Rules) remain in effect within the regulated area and must be strictly followed at all times.

(c) *Enforcement period.* (1) This section is enforceable from February 28, 2012 until 11:59 p.m. on July 31, 2013.

(2) The COTP will give notice of enforcement by appropriate means to inform the affected segments of the public, and such notification will include dates and times. Means of notification may include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners.

(d) *Penalties.* Failure to comply with this section may result in civil or criminal penalties pursuant to the Ports and Waterways Safety Act, 33 U.S.C. 1221 *et seq.* Report violations of this regulated navigation area to the COTP Sector Northern New England, at 207-767-0303 or on VHF—Channel 16.

EFFECTIVE DATE NOTE: By USCG-2012-0084, 77 FR 14279, Mar. 9, 2012, temporary §165.T01-0084 was added, effective Mar. 9, 2012 through July 31, 2013.

§ 165.T01-0394 Regulated Navigation Area; Waldo-Hancock Bridge Demolition, Penobscot River, between Prospect and Verona, ME.

(a) *Location.* The following area is a Regulated Navigation Area (RNA): All navigable waters of Penobscot River between Prospect, ME and Verona, ME, from surface to bottom, within a 300 yard radius of position 44°33'38" N, 068°48'05" W.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.10, 165.11, and 165.13 apply within the RNA.

(2) In accordance with the general regulations, entry into or movement within this zone, during periods of enforcement, is prohibited unless authorized by the Captain of the Port (COTP) Sector Northern New England.

(3) Persons and vessels may request permission to enter the RNA during periods of enforcement by contacting the COTP or the COTP's on-scene representative on VHF-16 or via phone at 207-767-0303.

(4) During periods of enforcement, a speed limit of five knots will be in effect within the regulated area and all vessels must proceed through the area with caution and operate in such a manner as to produce no wake.

(5) During periods of enforcement, vessels must comply with all directions given to them by the COTP or the

COTP's on-scene representative. The "on-scene representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel; Maine State Police, Maine Marine Patrol or other designated craft; or may be ashore and communicating with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(6) During periods of enforcement, upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(7) All other relevant regulations, including but not limited to the Rules of the Road (33 CFR part 84—subchapter E, Inland Navigational Rules) remain in effect within the regulated area and must be strictly followed at all times.

(c) *Enforcement period.* This regulation is enforceable 24 hours a day with actual notice from May 10, 2013 through April 30, 2014, and enforceable based on constructive notice from May 21, 2013 through April 30, 2014.

(1) Prior to commencing or suspending enforcement of this regulation, the COTP and designated on-scene patrol personnel will notify the public whenever the regulation is being enforced and whenever enforcement is lifted, to include dates and times. The means of notification will include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners, Marine Safety Information Bulletins, or other appropriate means.

(2) Violations of this RNA may be reported to the COTP at 207-767-0303 or on VHF-Channel 16.

EFFECTIVE DATE NOTE: By USCG-2012-0394, 78 FR 29651, May 21, 2013, temporary §165.T01-0394 was added, effective May 21, 2013 through April 30, 2014.

§ 165.T01-0623 Regulated Navigation Area: Thames River New London, CT.

(a) *Location.* The following area is a regulated navigation area: All navigable waters of the Thames River adjacent to Fort Trumbull State Park in